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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,992	04/05/2001	Nurhan Pinar Tutuncu	02280.002660.	3697

5514 7590 09/30/2009  
FITZPATRICK CELLA HARPER & SCINTO  
1290 Avenue of the Americas  
NEW YORK, NY 10104-3800

EXAMINER
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CHANNAVAJJALA, LAKSHMI SARADA

ART UNIT	PAPER NUMBER
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1611

MAIL DATE	DELIVERY MODE
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09/30/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* NURHAN PINAR TUTUNCU, SONIA HARTUNIAN-SOWA,  
JULIE ANN BRATTON, KEVIN J. STANTON & JEAN LEE.

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Application No. 09/825,992  
Technology Center 1600

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Mailed: September 29, 2009

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Before DEBORAH L. PERRY, *Supervisory Paralegal Specialist, Review Team.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on August 24, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S ANSWER, HEADINGS

A review of the file indicates that the Examiner's Answer filed April 1, 2009, does not comply with the guidelines provided in MPEP

Application No. 09/825,992

§ 1207.02, because it does not contain all of the required heading items.

Specifically, a review of the Examiner's Answer reveals that the appendix entitled "(2) Related Appeals & Interferences," is missing from the Examiner's Answer.

Correction is required.

The Examiner may issue a PTOL-90 to correct the above deficiencies.

### CONCLUSION

Accordingly,  
it is ORDERED that the application is returned to the Examiner:

- 1) to vacate the Examiner's Answer mailed April 1, 2009;
- 2) to generate a new Examiner's Answer in compliance with the guidelines; and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DLP/jsd

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